



In the Matter of School Hill, Horsehouse,  
Carlton Highdale, North Yorkshire.

DECISION

This reference relates to the question of the ownership of land known as School Hill, Horsehouse, Carlton Highdale, being the land comprised in the Land Section of Register Unit No VG 117 in the Register of Town or Village Greens maintained by the former North Riding of Yorkshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference the Misses A M and I M Paton claimed to be the freehold owners of part of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Richmond on 10 May 1978.

At the hearing the Misses Paton were represented by Mr J C Scott, solicitor, and the Carlton Highdale Parish Meeting by Mr W Lambert, its Chairman.

The Misses Paton own two cottages adjoining the land in question. On the south and east of these cottages there is a concreted yard which appears to have been included in the Register Unit, presumably by mistake, although the scale of the Register Map is such that it is difficult to be sure that the yard has in fact been included. However, Mr Lambert agreed that the yard is the property of the Misses Paton.

So far as the major part of the land in question is concerned, it was the playground of the adjoining school until 1943. It is stated in the Parish Meeting minute book that on 17 May 1943 the Rev. A S Chadwick reported that the Board of Education was prepared to make an order appointing trustees of the school property, but there is no evidence that this was ever done.

On this evidence I am satisfied that the Misses Paton are the owners of the concreted yard, and I shall accordingly direct the North Yorkshire County Council as registration authority, to register them as the owners of the yard under section 8(2) of the Act of 1965, but I am not satisfied that any person is the owner of the remainder of the land, and I shall direct the County Council to register the Richmondshire District Council as the owner of the remainder of the land under section 8(3) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this

7th

day of

June

1978

*[Handwritten Signature]*